IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 30 of 2005

Between:

1 Irlapati Nageshwar Rao, S/o Venkata Subbaiah
Thallapudi Village & Mandal, West Godavari District
2 Kotra Ramayaiah, S/o Somaiah,
Thallapudi Village & Mandal, West Godavari District
3 Vuba Kiran Kumar, S/o V. Balaiah,
Thallapudi Village & Mandal, West Godavari District

..... PETITIONERS

AND

1 The District Collector, West Godavari District
2 The Revenue Divisional Officer, Thallapudi West Godavari District
3 The Mandal Revenue Officer, Thallapudi Mandal,
West Godavari district

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of Writ of Mandamus, declaring the action of the respondents in trying to evict and dispossess the petitioner from their patta lands in Sy. No. 93/1 of Thallapudi Village & Mandal, West Godavari District without following the due process of law as arbitrary, illegal, unjust violative of Article 300-A of the Constitution of India.

Counsel for the Petitioners: SMT.N.SHOBA

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

-

-

-

-

-

-

-

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

Admittedly, a notice was issued to the petitioners on 22.12.2004 calling upon them to appear before the third respondent with all relevant records with regard to the lands in their possession, and accordingly the petitioners appeared and produced certain documents requesting 15 days time to produce the visible certified copies of the order.

In view of the same, the apprehension of the petitioners that the respondents would ask them to vacate the lands cannot be comprehended. There is no cause of action to entertain this writ petition. It is needless to say that if any action is taken, the respondents are bound to follow the procedure and specify the reasons for such action taken, and without passing any order the respondents cannot dispossess the petitioners.

The writ petition is accordingly dismissed. No costs.

_____

A. Gopal Reddy, J

Date: 05.01.2005

va/pan

To

1 The District Collector, West Godavari District
2 The Revenue Divisional Officer, Thallapudi West Godavari District
3 The Mandal Revenue Officer, Thallapudi Mandal,
West Godavari district

4 Two CCs to G.P for Revenue, High Court of A.P. Buildings, Hyderabad (OUT)

5 Two CD Copies